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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15
16 GREGORY WOCHOS, Individually and on
17 Behalf of All Others Similarly Situated,
18 Plaintiff,

19 v.
20 TESLA, INC., ELON R. MUSK, DEEPAK
AHUJA, and JASON WHEELER,
21 Defendants.

22 Case No.: 3:17-cv-05828-CRB

23 **STIPULATION AND [PROPOSED]
24 ORDER RESETTING HEARING ON
25 DEFENDANTS' MOTION TO DISMISS
26 SECOND AMENDED COMPLAINT
27 TO MARCH 22, 2019**

28 Judge: The Honorable Charles R. Breyer

STIP. AND [PROPOSED] ORDER RESETTING
HEARING DATE ON DEF'S.' MTD SAC

Date Action Filed: October 10, 2017

1 WHEREAS, this action purports to assert claims under Sections 10(b) and 20(a) of the
 2 Securities Exchange Act of 1934 and Rule 10b-5 promulgated thereunder against Tesla, Inc. and
 3 two of its individual officers (together, “Defendants”);

4 WHEREAS, on September 28, 2018, Lead Plaintiff filed the Second Amended Complaint
 5 (Dkt. No. 46);

6 WHEREAS, on November 20, 2018, Defendants filed their Motion to Dismiss the Second
 7 Amended Complaint (Dkt. No. 49);

8 WHEREAS, a hearing on Defendants’ Motion to Dismiss was originally scheduled for
 9 March 1, 2019;

10 WHEREAS, by Clerk’s Notice on February 20, 2019, the hearing on Defendants’ Motion
 11 to Dismiss was vacated and reset for March 8, 2019 (Dkt. No. 60);

12 WHEREAS, by Clerk’s Notice on March 1, 2019, the hearing on Defendants’ Motion to
 13 Dismiss was reset for March 15, 2019 (Dkt. No. 61);

14 WHEREAS, due to a pre-existing scheduling conflict, lead counsel for Defendants is
 15 unavailable on March 15, 2019;

16 WHEREAS, the parties have met and conferred and agreed that counsel for all parties are
 17 available on March 22, 2019 for a hearing on Defendants’ Motion to Dismiss the Second
 18 Amended Complaint, and respectfully request the Court to continue the March 15, 2019 hearing
 19 date to March 22, 2019 at 10:00 A.M.

20 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the
 21 approval of the Court, that the hearing on Defendants’ Motion to Dismiss the Second Amended
 22 Complaint (Dkt. No. 49) in this action be RESET to March 22, 2019 at 10:00 A.M.

23 Dated: March 1, 2019

FENWICK & WEST LLP

24 By: /s/ Dean S. Kristy

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Atorneys for Defendants Tesla, Inc.,
 Elon R. Musk, and Deepak Ahuja

1 Dated: March 1, 2019

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2 By: /s/ Jacob A. Goldberg

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9
10 Attorneys for Lead Plaintiff Kurt Friedman

11 Pursuant to Civil Local Rule 5-1(i)(3), all signatories concur in filing this stipulation.

12 Dated: March 1, 2019

By: /s/ Dean S. Kristy

13 Dean S. Kristy, Esq.

14 * * *

15 **[PROPOSED] ORDER**

16 Upon stipulation of the parties, and good cause appearing, IT IS SO ORDERED.

17
18 Dated: March 4, 2019


19 Hon. Charles R. Breyer
United States District Court Judge